

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANGEL MCDANIEL and CONSTANCE SIMON,
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

HOME BOX OFFICE, INC.,

Defendant.

Case No. 1:22-cv-01942-VEC

**REPLY DECLARATION OF TAYLOR DAVIS IN SUPPORT OF DEFENDANT’S
MOTION TO COMPEL ARBITRATION**

I, Taylor Davis, declare as follows:

1. I make this reply declaration based on personal knowledge and my familiarity with WarnerMedia Direct LLC’s (“WarnerMedia”) business practices relating to subscribers’ use of the HBO Max website. If called to testify, I could and would testify to the following facts.

2. WarnerMedia’s records reflect that Plaintiff Simon created her HBO Max account on May 6, 2021, and that she had a monthly subscription through AT&T. WarnerMedia’s records further reflect that Plaintiff Simon has maintained her HBO Max account and an active subscription through AT&T since May 6, 2021, and that she has continued accessing her HBO Max account and using the HBO Max platform since then, most recently in June 2022.

3. WarnerMedia’s records reflect that Plaintiff McDaniel created her HBO Max account on November 23, 2020. At that time, Plaintiff McDaniel had purchased a subscription through Amazon Prime Channels.

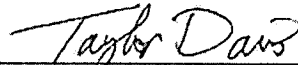
4. Amazon Prime Channels stopped offering HBO Max subscriptions in September 2021, meaning that individuals like Plaintiff McDaniel could no longer watch HBO Max content without purchasing a new subscription directly from WarnerMedia or from another third-party subscription provider.

5. WarnerMedia's records reflect that, on September 19, 2021, Plaintiff McDaniel purchased a subscription to HBO Max directly from WarnerMedia. Plaintiff McDaniel has continued to pay monthly subscription fees directly to WarnerMedia every month since then. Plaintiff McDaniel has continued accessing her HBO Max account and using the HBO Max platform, most recently in June 2022.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: June 23, 2022
Centre Hall, PA

By:



Taylor Davis
Vice President of Product
Warner Bros. Discovery, Inc.